

109TH CONGRESS  
2D SESSION

# H. R. 5511

To amend title 28, United States Code, to ensure that the validity of foreign judgments against United States citizens is adjudicated in Federal courts.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2006

Mr. ROHRABACHER introduced the following bill; which was referred to the  
Committee on the Judiciary

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## A BILL

To amend title 28, United States Code, to ensure that the  
validity of foreign judgments against United States citi-  
zens is adjudicated in Federal courts.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as “The Fair Enforcement of  
5       Foreign Judgments Amendment of 2006”.

6       **SEC. 2. DIVERSITY JURISDICTION.**

7       Section 1332 of title 28, United States Code, is  
8       amended by adding at the end the following:

9       “(f)(1) The district court shall have original and ex-  
10      clusive jurisdiction of any action to enforce a foreign judg-

1 ment against a citizen of the United States, in which the  
 2 matter in controversy exceeds the sum or value of  
 3 \$75,000, exclusive of interest and costs, and in which—

4 “

5 “(A) any plaintiff is a citizen of a State dif-  
 6 ferent from any defendant;

7 “(B) any plaintiff is a foreign state or a citizen  
 8 or subject of a foreign state and any defendant is a  
 9 citizen of a State; or

10 “(C) any plaintiff is a citizen of a State and  
 11 any defendant is a foreign state or a citizen or sub-  
 12 ject of a foreign state.

13 “(2) For purposes of this subsection, the term ‘for-  
 14 eign judgment’ means any judgment or order of the court  
 15 of a foreign state granting or denying a sum of money,  
 16 or determining a legal controversy.”.

17 **SEC. 3. REMOVAL.**

18 (a) IN GENERAL.—Chapter 89 of title 28, United  
 19 States Code, is amended by adding at the end the fol-  
 20 lowing:

21 **“§ 1454. Removal of actions to enforce foreign judge-**  
 22 **ments.**

23 “An action to enforce a foreign judgment over which  
 24 a district court may exercise jurisdiction under section  
 25 1332(f) may be removed to a district court of the United

1 States in accordance with section 1446, without regard to  
2 whether any defendant is a citizen of the State in which  
3 the action is brought, except that such action may be re-  
4 moved by any defendant without the consent of all defend-  
5 ants.”.

6 (b) CONFORMING AMENDMENT.—The table of sec-  
7 tions for chapter 89 of title 28, United States Code, is  
8 amended by adding at the end the following new item:

“1454. Renewal of actions to enforce foreign judgments.”.

9 **SEC. 4. EFFECTIVE DATE.**

10 This Act and the amendments made by this Act shall  
11 take effect on the date of enactment of this Act, and shall  
12 apply to any action to enforce a foreign judgment against  
13 a citizen of the United States that is brought on or after  
14 March 1, 2006.

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